1948. File No. O.H. Guards /48

P&E Legal Deptt

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Subject:— Opinions under the Bombay Home Guards Act 1947

Ie No. O-Home Guards/48

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C O N T E N T S.

Legal Department File No. 6 HomeGuards/43.

Sr. No.	P. F. No.	On	1943 Subject	Pages.
			Opinions under the ~~secret~~ Bombay HomeGuards Act, 1947------.	
1.	(n)1362 Bile-43.		The Police Officers--- rank among the --- are meant for administrative purposes & all officers exercise the same powers for maintenance of law and order HomeGuards have to act under ~~middle~~ Police officers and not independently--- intrduction of ranks does not arise---	1-3

27/3/16

H.I.M.'s L. No. 11017
Dated 31-8-1948.

In his letter dated the 24th August 1948, the Commandant, Home Guards, Kaira District has written to Government as follows:

"Section 6(1) of the Bombay Home Guards Act, 1947 lays down 'A member of the Home Guards when called out under section 4 shall have the same powers, privileges and protection as an officer of Police appointed under any Act for the time being in force.' As per this section a Home Guard is generalised as an officer of Police. An officer of Police has many ranks and grades and so 'an officer of Police' cannot be considered as the ex-act equivalent of a Home Guard and thus necessitates for the exact gradation of a Home Guard termed as an officer of Police."

The Home Department considers that the ranks among the Police officers are meant more for administrative purposes and all officers exercise the same powers so far as maintenance of law and order and prevention of crime are concerned. Ten secondly as Home Guards have to act under Police officers and not independently, the Home Department considers that the question of introduction of ranks does not arise. The I.G.A. is, however, requested to advise.

The view expressed in the H.D. office note is correct and the papers may be xx"seen and returned".